

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHSHORE SHEET METAL,
INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION,
LOCAL 66,

Defendant.

Case No. 2:15-cv-01349 MJP

**PLAINTIFF'S MOTION TO FILE AN
OVER-LENGTH BRIEF IN OPPOSITION
TO DEFENDANT'S MOTION TO STAY
PROCEEDINGS**

Noted on Motion Calendar: March 11, 2016

Pursuant to Local Rule 7(f), Plaintiff Northshore Sheet Metal, Inc. ("Plaintiff") hereby requests that the Court grant leave to file a brief in excess of the twelve (12) page limit imposed by LR 7(e)(4) in opposition to Defendant's motion to stay the proceedings ("Motion").

Plaintiff has brought two causes of action: (1) breach of the no-strike provision in the parties' labor agreement; and, (2) violation of federal labor laws by unlawfully engaging in a secondary boycott. Defendant has filed its Motion seeking a stay to Plaintiff's first cause of

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1 action (i.e. breach of no-strike provision). In reviewing whether a stay is appropriate, it is
2 necessary to review all of the factual history before the Court, as well as Defendant's actions
3 outside of the Court. This requires a review of Defendant's past actions since August 24,
4 2015 when this case was initially filed. Plaintiff's theory is that the Defendant's words and
5 actions to the Court, and elsewhere, necessitate a finding that Defendant has repudiated and
6 waived its right to seek arbitration. This theory requires an in depth examination of the facts
7 involved in this matter. To do this, it is necessary to request an over-length brief.

8 In light of these factors, Plaintiff respectfully requests the Court's leave to file a brief
9 in support of its Motion with four (4) additional pages, for a total of sixteen (16) pages.

10 Respectfully submitted this 11TH day of March, 2016.

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20 **Attorneys for Plaintiff**

21 **Northshore Sheet Metal, Inc.**

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of March, 2016, I electronically filed the foregoing ***PLAINTIFF'S MOTION TO FILE AN OVER-LENGTH BRIEF IN OPPOSITION TO DEFENDANT'S MOTION TO STAY PROCEEDINGS*** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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